



Local

Palos Hills may escape citation

Rep claims EPA will vindicate city in development probe

By JIM DUFFY
Staff Reporter

PALOS HILLS — State environmental officials have decided against citing the city for violations of state law after an investigation into the ongoing development of Stony Creek Park, reports State Rep. John O'Connell.

"The EPA has vindicated the city," O'Connell said.

An EPA spokesperson contacted Friday said he was unaware of any final decision in the case and expected official notice of a decision next week.

The city bought the park land, a former dump site southwest of Roberts Road and 108th Street, 11 years ago with a matching grant from the state Department of Conservation. Development of the 19-acre site finally began two years ago.

Officials expressed hope the park will open to the public next summer. Plans call for the completed development to include softball fields, soccer fields, a jogging path and a nature walk.

The EPA investigation began approximately six weeks ago, when former mayoral and aldermanic candidate Charles "Chic" Hansen called several state agencies and requested an examination of the site.

At issue is whether the city should have obtained permits to work on the land and whether ma-

illegally after the city assumed ownership.

"They're trying to sandbag it now," Hansen said Friday, "and it isn't going to work. They're wrong, and somebody somewhere along the line is going to come out here and show these people for what they are."

Hansen vowed to continue his efforts to halt development of the park, either through other agencies or by legal avenues.

He said no one knows what was dumped on the land and expressed concern that some of the material might be dangerous. He termed O'Connell's entry in the case "political buffoonery."

The representative, in turn, referred to Hansen as a "rabble-rouser" and said he asked to be notified of the EPA decision after watching a television newscast that implied a citation against the city was imminent.

O'Connell praised the city's development of the park as a much-needed improvement, especially when compared with its former status as an aging landfill.

"It's ironic," he said. "Since I've been in the state Legislature, Palos Hills has won awards every year. Most of those awards revolve around the Park Department. It probably would have cost several hundred thousand dollars to do what the city has managed to do

"I'm happy that what we said all along is true," said Ald. Sharon Rush, 2nd, the council liaison to the Park Department. "We're not out to hurt anyone; we just want to make improvements."

Mayor Gerald Bennett said he plans to demand apologies from some of the figures involved in the investigation. He also dismissed Hansen's intentions as political, a charge Hansen returned in kind.

In tracing the history of the project, Public Works Director George Lutz said the city lacked funds to finance work required to cover over the dump site.

Lutz said he convinced the city of Hickory Hills to dump into Stony Creek Park dirt and concrete removed during construction of a detention pond.

Later, Lutz said he convinced construction crews building a new courthouse along 103rd Street to dispose of their dirt and concrete on the park site. He said some asphalt also was dumped on the site.

"We've got most of that park done now, and it hasn't cost the city a thing," Lutz said. "Now that it's being cleaned up, why all of sudden is there a problem?"

Another issue related to development of the park remains unresolved. A condition of the state grant used to buy the park land still

within five years of the purchase.

Department of Conservation spokesman Bruce Hunter said the city has been given 30 days to explain why the project took nine years to start. City officials indicated explanations would focus on finances.

Hunter said future department action would depend on the EPA's decision in the case. A citation, he said, would make a demand for a refund of the \$60,000 grant more likely.

Asked why it took the state agency six years to discover that the city project was running late, Hunter said the department was severely understaffed until some recent hirings.

Finally, O'Connell expressed concern that controversy over the park would hurt the city's chances at a grant to help finance construction of a proposed nine-acre golf course on 45 acres located on another former landfill near 105th Street and 73rd Avenue.

"The city has been vindicated," he said, "and certainly I hope this doesn't have a chilling effect on any other grants pending before the department."

Hansen, on the other hand, said he remains convinced the city failed to develop the land properly.

"We're not trying to make this a witchhunt or anything, but they're

Views radically split on park site 'landfill'

By Ron Rehfeldt

Stoney Creek Park West and the city of Palos Hills are being investigated by several state agencies for what in the words of Clifford Gould of the Illinois Environmental Protection Agency (EPA), "appears to be an illegal landfill."

The investigations result from com-

plaints filed by Palos Hills resident and reputed gadfly Charles "Chic" Hansen. Other state agencies besides the EPA, he has filed complaints with include the Division of Water Resources, the Illinois Department of Conservation and the Attorney General's office. (A letter from Hansen is printed in today's Reporter on page 4.)

He also has enlisted the aid of WGN Channel 9 television and the Better Government Association.

The BGA has gone so far as to send out a press release on the thorny issue which states, in part, "An illegal dumpsite operated by the Village of Palos Hills sits on land purchased with the help of a state matching grant earmarked for a village park. The Better Government Association and WGN-TV revealed last night (July 29, 1987).

"Both the village government and the state of Illinois are ultimately responsible for this mess," said J. Terrence Brunner, executive director of the BGA.

"Palos Hills officials are acting like they are above the law. It's absurd that a governmental body would run a dumpsite on park land as an illegal one at that."

Meanwhile the EPA admits that at this time the only actions it has taken is to conduct two field investigations of the site and to send a letter asking the city some questions.

"We have sent a letter to the city asking them to explain to us what they did, why they did it and what they are going to do to correct any violations."

Mayor Gerald Bennett told the Reporter Tuesday afternoon that he, George Lutz of the Public Works Department and city attorney Matthew Walsh are preparing the letter to be sent to the EPA by tomorrow.

"We are trying to build a park. As far as the agency is concerned, we don't see any problem with our compliance. It's no big deal. If they want us to take out a per-

mit, then that's what we'll have to do," said Bennett.

He underscored, however, that as far as he was concerned, the fill that has been placed on the park site is "clean fill. Three fourths of the fill comes from the Hickory Hills retention pond (construction site)."

"There's really nothing being 'dumped' there," asserted 5th District Alderman Harriet Patras, in whose ward the Stoney Creek Park development lies. "There's nothing toxic in there," she insisted.

Regarding various materials on the site that are unacceptable, she commented, "It will eventually be all cleaned up."

Bill Murphy, chief administrator of the city's park department, is proud that he has been able to obtain clean fill for the park site. He reiterates that his job is to try to get a park developed on the site. "We're in the process of getting it into shape."

Murphy told the Reporter that he felt the park department was fortunate to obtain clean fill from the construction sites of the Hickory Hills retention pond and of the 5th District Circuit Court building.

Murphy also points out that he needs more park space for, for example, 36 adult softball leagues. "We have to accommodate."

State Representative John O'Connell has also given his support to Mayor Bennett in his conflicts over the Stoney Creek Park site.

"I first got involved after a meeting with Mayor Bennett and Sharon Rush and Darlene Meier (Palos Hills alderman) to look over the golf course site and to help the city get the park department of conservation grant."

Inquiring about how the grant procedure was going, Rep. O'Connell was told, "Fine... except."

It was then that Rep. O'Connell

learned that the Department of Conservation had received a complaint about Stoney Creek Park.

After the WGN "expose," O'Connell got in touch with the EPA. To him it looked like a "hatchet job."

"I called to find out what was going on," O'Connell explained. "Have they been cited? I asked 'No,' the enforcement officer (of the EPA) answered. I called the mayor and told him there's not going to be any citation."

"Somebody is making much ado about nothing," O'Connell stated. "I've been out there. I don't see how they can interpret that area as being a landfill or a dumpsite."

O'Connell emphasized that a principal concern he has is that the controversy could jeopardize the golf project. "This may have a chilling effect," he noted.

To the best of O'Connell's knowledge, the fill being put on the park site is clean fill from the Hickory Hills and Circuit Court projects.

He supports Mayor Bennett's contention that some of the materials dumped along the south side of the park site is not the city's responsibility, but that of the Army Corps of Engineers.

O'Connell said that he met with Bill Murphy and a representative of the Dept. of Conservation at the Stoney Creek Park site. While there they talked with an equipment operator who said he had been working at the site for two years and "There has never been a problem."

"Our main concern is that the land was purchased in the late 70's to be developed into a park, but there's not a park there yet," commented a member of the staff of the state department of conservation. "What we want to know is why hasn't it been developed yet? When will it be developed? We would like a preliminary schedule, a reasonable schedule," said the spokesman.

He also indicated that as far as he knew, the fill being used on the park site was clean "until it has been proved otherwise."

Meanwhile citizen Hansen persists in making serious allegations about the actions of the city regarding the park site, and gets substantial support from EPA field investigator Gino Bruni.

In his first report to the EPA dated June 18, 1987, Bruni lists 10 violations he observed during his inspection.

Told by the agency's enforcement decision group that more evidence was needed to substantiate his observations, Bruni returned last week to Stoney Creek Park to take more pictures and make further observations.

Violations Bruni observed after his first inspection ranged from operating a landfill without a permit, the existence of uncovered refuse remaining from "any previous operating day, piles of refuse," inadequate depth of daily cover, inadequate shelter or sanitary facilities or emergency communications for employees and "inadequate control of access to the site by lack of fence or other restriction" to "inadequate provision for concealing sanitary landfill operations from public view, deposition of refuse in an unpermitted portion of the landfill."

failure to submit reports required, failure to have financial assurance documents" and "failure to file a closure plan and a post-closure plan."

Between his first and second investigations, Bruni observed that new materials had been dumped on the site, including "concrete, asphalt, I-beams, scrap metal, and drums, some of them containing black material, either asphalt or tar."

He believed that the city was likely to have at least three citations for violations. "I didn't have enough photos from the first inspection," Bruni stated. "I think now we have enough photos."

"It's gone from bad to worse," commented Hansen. "The city is running an illegal dump. There are stringent standards about these things, but the city has refused blatantly to adhere to those standards. There's no supervision. They blatantly let people dump materials that aren't supposed to go in there."

A mayor, aldermen, state representative, park administrator and equipment operator all deny Hansen's allegations.

All Hansen has is his own perceptions, the support of numerous citizens around the park site and the reports of an EPA field investigator.

What do they know?

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